

Steven N. Feldman  
steve.feldman@lw.com

**LATHAM & WATKINS** LLP

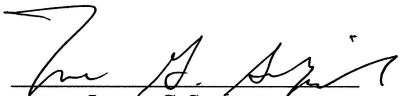
April 28, 2025

**VIA CM/ECF**

The Honorable Lorna G. Schofield  
United States District Court  
Southern District of New York  
500 Pearl Street  
New York, New York 10007

Application **GRANTED**. The pre-motion conference scheduled for May 20, 2025, is ADJOURNED to **July 8, 2025, at 3:00 P.M.** The conference will be held IN PERSON at the Thurgood Marshall United States Courthouse, Southern District of New York, 40 Foley Square, New York, New York at Room 1106. The parties' deadline to file any pre-motion letter for anticipated dispositive motions is extended to **June 24, 2025**.

Dated: April 29, 2025  
New York, New York



LORNA G. SCHOFIELD  
UNITED STATES DISTRICT JUDGE

Re: ***Health and Happiness (H&H) US LLC v. Nutramax Laboratories, Inc.***, No. 1:23-cv-10849-LGS - Unopposed Letter Motion for Continuance of Pre-Motion Conference

Dear Judge Schofield:

Plaintiff/Counterclaim Defendant Health and Happiness (H&H) LLC and Third-Party Complaint Defendant Health and Happiness (H&H) US International Incorporated respectfully submit this unopposed request that the May 20, 2025 Pre-Motion Conference for Any Anticipated Dispositive Motions ("Pre-Motion Conference") be continued to June 24, 2025 (or anytime thereafter<sup>1</sup> at the Court's convenience). Pursuant to Fed. R. of Civ. Proc. 16(b)(4), the Court may modify the case schedule for good cause. For the reasons below, good cause exists for this request.

On December 20, 2024, the Court granted the parties' joint request for a modification of the case schedule (Dkt. 240), moving the expert discovery cutoff to May 9, 2025 and the Pre-Motion Conference to May 20, 2025. Based on the May 20, 2025 Pre-Motion Conference date and Rule III(A)(1) of your Honor's Individual Rules and Procedures, Pre-Motion Letters on Dispositive Motions ("Pre-Motion Letters") are currently due on May 6, 2025 (10 business days before the Pre-Motion Conference).

The parties are diligently engaged in expert discovery, including nine anticipated expert depositions. Based on the parties' and experts' schedules, five of the nine expert depositions are scheduled to occur on or after the current May 6, 2025 Pre-Motion Letters deadline. The parties are also working diligently to resolve remaining discovery disputes as quickly as possible, but

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<sup>1</sup> Counsel for Defendant/Counterclaim Plaintiffs/Third-Party Complaint Plaintiffs Nutramax Laboratories, Inc. and Nutramax Laboratories Veterinary Sciences, Inc. (collectively, "Nutramax") indicated by email on April 28, 2025 that Nutramax's counsel is not available on June 25, 2025.

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those disputes may not be fully resolved before the May 6, 2025 Pre-Motion Letters deadline or the May 20, 2025 Pre-Motion Conference.

The completion and resolution of the above discovery matters will lead to a more final and informed record prior to the Pre-Motion Conference and filing of Pre-Motion Letters. It will also reduce the likelihood of any need to submit supplemental letters with the Court after the current May 6, 2025 Pre-Motions Letters deadline. The requested extension will thus benefit the parties and the Court, and good cause exists.

Counsel for Nutramax indicated by email on April 25, 2025 that Nutramax does not oppose this request. The parties have individually or jointly requested five previous extensions, all of which have been granted. *See* Dkt. 120, 147, 235, 218, 240.

Respectfully submitted,

/s/ Steven N. Feldman

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of LATHAM & WATKINS LLP